

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:11-00199

BERNIE DEWAYNE LAMB

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On May 23, 2018, the United States of America appeared by Steven I. Loew, Assistant United States Attorney, and the defendant, Bernie Dewayne Lamb, appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced a 26-month term of supervised release in this action on July 29, 2015, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on November 17, 2014.

The court heard the evidence and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local offense of fleeing from the police on September 7, 2017, inasmuch as members of the United States Marshal Service attempted to apprehend the defendant following the issuance of a warrant by this court at which time he led the officers on a 15-minute chase throughout the East End of Charleston for approximately 10 blocks while ignoring commands to stop, all as more fully set forth on the record of the hearing; (2) the defendant committed the state and local offense of driving while his license was revoked on April 21 and September 7, 2017, all as more fully set forth on the record of the hearing; and (3) the defendant committed the federal and state offense of felon in possession of a firearm and violated the standard condition that he not possess a firearm inasmuch as on September 7, 2017, after he was finally penned in by the United States Marshal Service after fleeing as set forth above, the defendant placed a silver 9mm Ruger in his wife's purse and then handed a .40 caliber Taurus pistol to a juvenile male in the backseat, all as more fully set forth on the record of the

hearing; and all as set forth in the petition on supervised release and amendment thereto, the court having found all of the violations set forth above by a preponderance of the evidence.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOURTEEN (14) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 1, 2018



John T. Copenhaver, Jr.
United States District Judge